

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

AUBREY C. TRAIL,

Petitioner,

vs.

ROB JEFFREYS, Director;

Respondent.

4:24CV3032

MEMORANDUM AND ORDER

This matter is before the Court on the parties' Stipulated Motion to Stay the Briefing Schedule (the "Motion"), filed on June 14, 2024, [Filing No. 17](#), which this Court construes as a motion to suspend the progression order deadlines set forth in this Court's March 7, 2024, order, [Filing No. 9](#), and as extended by an order entered on April 23, 2024, [Filing No. 12](#).

The parties inform the Court that on May 29, 2024, the District Court of Saline County, Nebraska denied Petitioner Aubrey C. Trail's ("Petitioner") Motion for Postconviction Relief, but that Petitioner seeks to appeal the denial (the "Appeal"). [Filing No. 17 at 2](#). The parties submit that good cause exists to suspend the progression order deadlines until the conclusion of the Appeal as the state court issues Petitioner intends to raise are relevant to the federal questions this Court will be considering when addressing the Petition. *Id.*

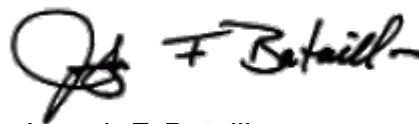
Upon consideration of the parties' arguments, this Court finds good cause exists to suspend the progression order deadlines.

IT IS THEREFORE ORDERED THAT:

1. The Motion, [Filing No. 17](#), is granted. The briefing schedules in [Filing Nos. 9](#) and [12](#) are suspended pending resolution of Petitioner's Appeal. The case shall otherwise remain open.
2. Petitioner shall file a notice advising this Court as to the status of the Appeal every ninety (90) days until the Appeal is concluded.
3. Within 30 days of the conclusion of the Appeal, regardless of when the last status report was filed, the parties are ordered to notify the Court of the Appeal's disposition, after which the Court shall address the progression order deadlines.
4. The Clerk's Office is instructed to set the following case management deadline: **October 1, 2024**: deadline for Petitioner to file status report.

Dated this 3rd day of July, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Court